

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF FINANCIAL INSTITUTIONS

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1368.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 24, 2011.

[R11-80]

- 1. Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 4, Department of Financial Institutions
Articles and their headings: 1, General; 9, Mortgage Brokers; 18, Mortgage Bankers
Section numbers: R20-4-107, R20-4-927, R20-4-928, R20-4-1813 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The proposed rulemaking covers three separate subjects. The first subject is to establish the process in rule, as required by A.R.S. § 6-949, for converting a mortgage banker license to a mortgage broker license.
The second subject is to establish a process that allows for mortgage brokers to convert their license to a commercial mortgage broker license, as authorized by the passage of HB2004 (commercial mortgage brokers; license conversion) during the 50th Legislature, 1st Regular Session.
The third subject is to implement HB2296 (national banks; mortgage loan originators), also passed during the 50th Legislature, 1st Regular Session, by establishing the fee, application, and renewal process for applying for a certificate of exemption in order to supervise mortgage loan originators.
- 3. A citation to all published notices relating to the proceeding:**
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Gretchen Conger
Address: 2910 N. 44th St., Suite 310
Phoenix, AZ 85018
Telephone: (602) 771-2778
Fax: (602) 381-1225
E-mail: gconger@azdfi.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
No oral proceeding is scheduled. The Department will schedule an oral proceeding on the proposed rules if it receives a written request for a proceeding within 30 days after the publication date of this notice, under the provisions of A.R.S. § 41-1023(C). Send requests for an oral proceeding to the Department personnel listed in item 4. The Department invites and will accept written comments on the proposed rule. Submit comments during regular business hours (8:00 a.m.-5:00 p.m. Monday-Friday), at the address listed in item 4, until the close of the record for this proposed rulemaking. The record will close on the 31st day following publication of this notice, unless the department schedules an oral proceeding.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Not known

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1368.) The Governor's Office authorized the notice to proceed through the rulemaking process on May 24, 2011.

[R11-79]

1. **Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 6, Department of Insurance
Article and its heading: 1, Hearing Procedures and Rulemaking Petitions
Section numbers: R20-6-101, R20-6-102, R20-6-103, R20-6-104, R20-6-105, R20-6-106, R20-6-107, R20-6-108, R20-6-109, R20-6-110, R20-6-111, R20-6-112, R20-6-113, R20-6-114, R20-6-115, R20-6-160 (Sections may be added, deleted, or modified as necessary.)
2. **Subject matter of the proposed rule:**
The director will propose rulemaking regarding hearing procedures and rulemaking petitions.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret L. McClelland
Address: Department of Insurance
2910 N. 44th St., Suite 210
Phoenix, AZ 85018-7526
Telephone: (602) 364-3471
Fax: (602) 364-3470
5. **The time during which written submission may be made and the time and place where oral comments may be made:**
The Department will accept written comments during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule an oral proceeding, within the statutorily mandated time-frame, to be noticed in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action in the proceeding:**
The Department expects to file a Notice of Proposed Rulemaking in the third quarter of 2011.